



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: WILLIAMS ET AL.

APPLICATION NO.: 09/780,638

FILED: FEBRUARY 10, 2001

FOR: MICROFLUIDIC DEVICE WITH SAMPLE
INJECTOR AND METHOD

EXAMINER: BROWN, JENNINE

GROUP ART UNIT: 1755

CONFIRMATION NO.: 9345

Notification of Loss of Entitlement to Small Entity Status
(37 C.F.R. § 1.27(g)(2))

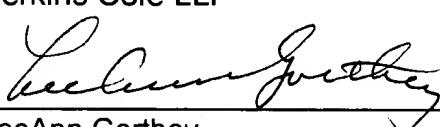
Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The present application is no longer entitled to small entity status.

Respectfully submitted,
Perkins Coie LLP

Date: 9-24-04


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Comments on Statement of Reasons for Allowance

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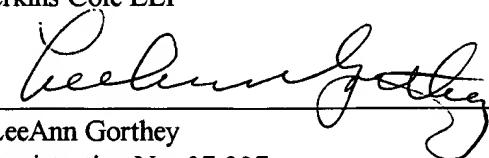
The Applicants appreciate the Notice of Allowable Subject Matter mailed on June 28, 2004. However, the Applicants wish to comment on the record regarding the following portion of the Examiner's statement of reasons for allowance:

"Based on Applicants arguments of 05/24/2004, the microfluidic system of claims 13-19 clearly must have *no more* and no less than 3 side channels and the method of injection *using said microfluidic system* of claims 1-12 must include simultaneously controlling the voltage applied to the 3 side channels..." (emphasis added).

The Applicants assert that "the method of injection using said microfluidic system of claims 1-12" is not limited to a method in which "said microfluidic system" has "no more...than 3 side channels". Claim 1 recites a method of using a "microfluidics device having a channel network that includes an electrolyte channel having upstream and downstream channel portions and first, second, and third side channels...". There is nothing in the claim language that limits the channel network to *exactly three* side channels. The Applicants have reviewed the arguments presented in the response of 05/24/2004 and find no statements requiring such a conclusion. Such a limitation is not necessary, and was not presented as necessary by the Applicants, to distinguish this claim over the prior art.

Respectfully submitted,
Perkins Coie LLP

Date: 9-27-04


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